

## **ANALYSIS**

This ordinance extends through September 30, 2006, a franchise to operate a cable television system in the unincorporated area of Kagel Canyon, granted by Ordinance No. 89-0161F, as amended. This ordinance also reflects a change in the name of the Franchisee to Comcast of California VII, Inc., a Washington Profit Corporation, clarifies that references to the term "Director" are to the Director of the Department of Consumer Affairs, and eliminates self-imposed franchise fee distribution requirements.

## **OFFICE OF THE COUNTY COUNSEL**

By  
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10/29/04 (requested)

11/01/04 (revised)

**ORDINANCE NO \_\_\_\_\_**

An ordinance relating to a franchise to operate a cable television system in the unincorporated areas of Kagel Canyon.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 1 of Ordinance No. 89-0161F, as amended, is hereby amended to read as follows:

**Section 1.** Pursuant to Section 53066 of the Government Code of the State of California, the right, privilege, and franchise is granted to ~~King Videocable Company~~ Comcast of California VII, Inc. a Washington Profit Corporation (~~hereinafter referred to as "Franchisee"~~), ~~through September 30, 2006,~~ to construct, ~~from time to time for the period of fifteen (15) years from the effective date of this ordinance~~ reconstruct, ~~to maintain, and to operate~~ a Cable Television System (~~hereinafter called "System"~~) in the unincorporated ~~territory~~ Service Area of the County of Los Angeles, described in Section 2 below, and to construct, reconstruct, maintain, operate, renew, repair, and remove in ~~the~~ this Service Area ~~described in Section 2 below,~~ radio and television signal transmission lines and cables and all appurtenances and/or service connections (hereinafter jointly referred to as "Facilities") which are necessary or convenient for the provision of a System. ~~said~~ This grant ~~being~~ is subject to the faithful performance and observance by Franchisee of all the terms and conditions herein.

**SECTION 2.** Section 3.B of Ordinance No. 89-0161F, as amended, is hereby amended to read as follows:

B. Franchisee shall make the quarterly payments required herein, payable in advance on the first day of each quarter, beginning with the first payment as required in subparagraph 3.A.1), for the remaining life of the franchise. In addition, Franchisee shall make the annual percentage payment concurrently with the filing of the reports required by Section 16.60.180 of the County Code, which shall be filed within sixty (60) days after the expiration of each franchise payment period during the life of the franchise.

~~Said franchise fee payments shall be distributed by County as follows:~~

- ~~1). Three percent (3%) of the gross revenues to County;~~
- ~~2). Two percent (2%) of the gross revenues shall be placed in an interest bearing trust fund account as provided by the Auditor-Controller of County.~~

**SECTION 3.** Section 3.D of Ordinance No. 89-0161F, as amended, is hereby amended to read as follows:

Section 3.D. Franchisee and the Director of ~~Facilities Management~~the Department of Consumer Affairs, or his authorized representative, (hereinafter referred to as "Director,"~~;~~ ) may mutually agree in writing to modify the method of quarterly payments to offset the annual franchise fee payment. Any such modification shall consider the annual franchise period as being based on a calendar year.

[ComcastExt2KDFCOC]